

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

Timothy Franks,

Plaintiff,

v.

County of Lehigh, et. al.,

Defendants

CIVIL ACTION

No. 02-2652

March 31, 2005

ORDER

Currently before the court is defendants Application for Counsel Fees and Associated Expenses (Docket #41). That Application follows a judgment in favor of defendants, which was entered on June 15, 2004. Defendants motion for attorney s fees was filed on July 15, 2004. Federal Rule of Civil Procedure 54(d)(2)(B), which governs applications for attorney s fees, states that, [u]nless otherwise provided by statute or order of the court, the motion [for attorney s fees] must be filed no later than 14 days after entry of judgment.... Defendants seek attorney s fees pursuant to 42 U.S.C. § 12205. That statute does not provide a different amount of time in which the prevailing party may seek attorney s fees. Nor did defendants seek (or receive) an order of the court granting

them an enlargement of time in which to file their Application. Thus, defendants Application is time-barred. Accordingly, it is hereby ORDERED that defendants Application is DENIED.

BY THE COURT:

Pollak, J.